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APPLICATION NO	). 1	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,151 12/23/2003		12/23/2003	Naoki Makita	7040.13	7501
35510	7590	06/27/2005	EXAMINER		
		NETT, LLP	BOOTH, RICHARD A		
SUITE 31	TON PLAC 2	E	ART UNIT	PAPER NUMBER	
FAIRFAX	, VA 220	30	2812		
				DATE MAILED: 06/27/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    Application No.   Applicant(s)			H-1				
## Examiner ## Ex		Application No.	Applicant(s)				
Richard A Booth   2812		10/743,151	MAKITA, NAOKI				
- The MALLING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MALLING DATE OF THIS COMMUNICATION.  Estambles of term may be available used the pervisions of 37 CPR 1.136(s). In no event, however, may a reply be timely filed  1 the period for reply specified above is less than theiry (00) days, a reply within the statisticy rinkinum of thinky (30) days will be considered timely.  1 the period for reply specified shows the maximum statisticy period will apply add will expire (s) (MONTHS from the realing date of this communication.  1 Failure to reply within the set or extended period for reply vint. by statisticy period will apply and will expire (s) (MONTHS from the realing date of this communication.  1 Failure to reply within the set or extended period for reply vint. by statistic, period will apply and will expire (s) (MONTHS from the realing date of this communication.  1 Failure to reply within the set or extended period for reply vint. by statistic, period will apply and will expire (s) (MONTHS from the realing date of this communication.  1 Failure to reply within the set or extended period for reply vint. by statistic, period to the communication, even 81 files (s) (30 (s)	Office Action Summary	Examiner	Art Unit				
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1) Responsive to communication(s) filed on OZ April 2005. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims 4) Claim(s) 1-69 is/are pending in the application. 4a) Of the above claim(s) 1-21,68 and 69 is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) 22-67 are subject to restriction and/or election requirement.  Application Papers  9) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s) 1) Notice of Dratsperson's Patent Drawing Review (PTO-948) 3) Information Disclosuer Statement(s) (PTO-1449 or PTO/SB/08)  * Provision of the Control Patent Application (PTO-152)	THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period verailure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailing	36(a). In no event, however, may a reply be tir y within the statutory minimum of thirty (30) day vill apply and will expire SIX (6) MONTHS from , cause the application to become ABANDONE	nely filed  s will be considered timely. I the mailing date of this communication. D (35 U.S.C. § 133).				
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## **DETAILED ACTION**

## Election/Restrictions

Applicant's election without traverse of group II in the reply filed on 4/7/05 is acknowledged.

This application contains claims directed to the following patentably distinct species of the claimed invention: a first embodiment of the invention (see figs. 1A-1H), a second embodiment of the invention (see figs. 2A-2H), a third embodiment of the invention (see figs. 3A-4E), a fourth embodiment of the invention (see figs. 5A-6E), a fifth embodiment of the invention (see figs. 7A-8E), a sixth embodiment of the invention (see figs. 9A-10E), a seventh embodiment of the invention (see figs. 11A-12E), an eighth embodiment of the invention (see figs. 13A-14E), and a ninth embodiment of the invention (see figs. 15A-15E).

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include

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all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard A. Booth whose telephone number is (571) 272-1668. The examiner can normally be reached on Monday-Thursday from 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Lebentritt can be reached on (571) 272-1873. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Richard A. Booth Primary Examiner Art Unit 2812

June 21, 2005